

S.B.Cr.Misc. Bail App. No.4386/2007

(Yaari vs. State of Rajasthan)

Date of order : September 18, 2007

**HON'BLE MR.H.R.PANWAR,J.**

Mr.R.S.Gill, for the petitioner.  
Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

It is contended by the learned counsel for the petitioner that the petitioner has not been named in the FIR and the similarly situated co-accused Virender alias Munna, Dipu Singh Chauhan and Iliyas have been granted bail by a Co-ordinate Bench of this Court vide orders dt. 19.6.2007 in S.B.Cr.Misc. Bail Applications No.2272/2007, 2572/2007 and 2483/2007 respectively. Learned Public Prosecutor also submits that no specific overt act has been assigned to the present petitioner.

Having regard to the facts and circumstances of the case and the fact that similarly situated co-accused have been granted bail, taking into account the oral arguments advanced by

both the parties, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Yaari s/o Sattar Khan be released on bail in FIR No.300/2007, P.S. Suratgarh provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

**(H.R.PANWAR),J.**

m.asif/-